MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2015/2016

UCL1612 - CONSTITUTIONAL LAW I

(All Sections / Groups)

5 OCTOBER 2015
Reading Time : 2.30 p.m. – 2.45 p.m.
(15 Minutes)
Answering Time: 2.45 p.m. – 5.45 p.m.
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.

2. This Question paper consists of 2 pages with 5 Questions only.

3. Attempt **FOUR** out of FIVE questions. All questions carry equal marks and the distribution of the marks for each question is given.

4. Students are allowed to bring into the Examination Hall CLEAN and ORIGINAL copy of:

   Federal Constitution

5. Please write all your answers in the Answer Booklet provided.

COMPULSORY QUESTION

QUESTION 1

Kamal and his colleagues from Spaceship Party are members of the coalition that forms the government. Recently, the Prime Minister has announced that the National Car Policy should be continued since in his opinion, the National car manufacturers are not yet able to stand on their own.

Kamal and his colleagues are strongly against it and felt that the policy should be reviewed as the policy proved to bring no benefits to the country even after 20 years of its implementation. Nevertheless, Kamal who is also the Minister of Education only raised his concerns behind closed doors, especially during the Cabinet meeting with the Prime Minister.

One of Kamal's colleagues, John who is also a Deputy Minister in the Finance Ministry spoke to a daily newspaper on his concerns over the government's stand. Similar sentiments were also echoed by Ravi who is also one of the Ministers in the Prime Minister's Department, where he openly criticized the government's stand during a public forum.

The Prime Minister is not happy with the way these members of his executive are behaving and is now consulting you.

Discuss with reference to the concepts of collective and individual ministerial responsibility.

(Total: 25 marks)

ANSWER ANY THREE OUT OF THE FOLLOWING FOUR QUESTIONS.

QUESTION 2

'Our Federal Constitution rests upon a separation of powers. It also rests upon mutual recognition of those powers. It is for Parliament to make new laws and to amend old laws. It is for the courts to interpret and enforce the law. It is for the executive to govern within the law. Each in its own sphere is supreme'.

Discuss on the relevance of the above statement in Malaysia today.

(Total: 25 marks)

Continued...

QUESTION 3

In a Westminster system of government, Parliament plays the role of scrutinising on the Executive.

Critically evaluate the effectiveness of the various procedures and mechanisms available in the *Dewan Rakyat* for scrutinising the executive.

What reforms, if any, do you propose and why?

(Total: 25 marks)

QUESTION 4

The simple majority voting system or more commonly known as the first past the post system (FPTP) is a majoritarian system with no concept of proportional representation.

In your opinion, what are the strengths and weaknesses of this system? Are reforms necessary? Give reasons in your answers.

(Total: 25 marks)

QUESTION 5

"The Judiciary is one the most important organs of the Government. As such, it is vital that the Judiciary has to be neutral and independent in performing its functions."

Critically analyse the position of the Malaysian Judiciary in relation to this statement.

(Total: 25 marks)

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